

Introduced by Senator Pan

February 10, 2016

An act to add Article 1.6 (commencing with Section 118917) to Chapter 4 of Part 15 of Division 104 of the Health and Safety Code, relating to tobacco.

LEGISLATIVE COUNSEL'S DIGEST

SB 977, as introduced, Pan. Tobacco: youth sports events.

Existing law generally prohibits the smoking of tobacco in the workplace and in public buildings, except in specified areas.

This bill would prohibit the use of a tobacco product, as defined, within 250 feet of a youth sports event, as defined. The bill would make a violation of this provision a crime punishable by a \$100 fine. By establishing a new crime, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Article 1.6 (commencing with Section 118917)
- 2 is added to Chapter 4 of Part 15 of Division 104 of the Health and
- 3 Safety Code, to read:

1 Article 1.6. Tobacco Products at Youth Sports Events

2
3 118917. (a) A person shall not use a tobacco product within
4 250 feet of a youth sports event.

5 (b) A person who violates this section is guilty of an infraction,
6 punishable by a fine of not more than one hundred dollars (\$100).

7 (c) For purposes of this section, youth sports event means any
8 practice, game, or other related activity organized by a nonprofit
9 youth sports organization where athletes up to 18 years of age are
10 present.

11 (d) For purposes of this section, tobacco product means any of
12 the following:

13 (1) A product containing, made, or derived from tobacco or
14 nicotine that is intended for human consumption, whether smoked,
15 heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or
16 ingested by any other means, including, but not limited to,
17 cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or
18 snuff.

19 (2) An electronic device that delivers nicotine or other vaporized
20 liquids to the person inhaling from the device, including, but not
21 limited to, an electronic cigarette, cigar, pipe, or hookah.

22 (3) Any component, part, or accessory of a product described
23 in paragraph (1) or (2), whether or not sold separately.

24 SEC. 2. No reimbursement is required by this act pursuant to
25 Section 6 of Article XIII B of the California Constitution because
26 the only costs that may be incurred by a local agency or school
27 district will be incurred because this act creates a new crime or
28 infraction, eliminates a crime or infraction, or changes the penalty
29 for a crime or infraction, within the meaning of Section 17556 of
30 the Government Code, or changes the definition of a crime within
31 the meaning of Section 6 of Article XIII B of the California
32 Constitution.